

Michael Stolper
ORRICK, HERRINGTON & SUTCLIFFE LLP
666 Fifth Avenue
New York, New York 10103
Telephone: (212) 506-5000

Attorneys for Plaintiff Highland Park CDO I
Grantor Trust, Series A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HIGHLAND PARK CDO I GRANTOR
TRUST, SERIES A

Plaintiff,

v.

MATTHEW STUDER, FRED GRAFT, ERNIE
MALAS, and PETER CORATOLA,
Defendants.

Case No. 08 Civ. 01670

**DECLARATION OF
MICHAEL STOLPER IN
FURTHER SUPPORT OF
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

I, Michael Stolper, declare:

1. I am a member of the bar of this Court and of the firm Orrick, Herrington & Sutcliffe LLP, counsel to Highland Park CDO I Grantor Trust, Series A ("Highland"), Plaintiff in the above-entitled action. I submit this Declaration in further support of Plaintiff's motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure.

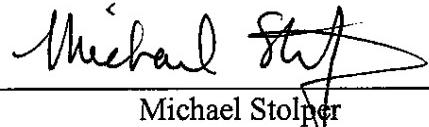
2. Highland has retained Ohio counsel and is in the process of obtaining a dismissal from the Ohio Foreclosure Action: *Wells Fargo N.A., as Trustee for the Morgan Stanley Capital I Inc. Commercial Mortgage Pass-Through Certificates Series 2006-XLF v. Platinum Lodging, LLC, et al.*, No. 08CVE03-03668 (Ohio Ct. C.P. Franklin County 2008).

3. Attached hereto as Exhibit 1 is a copy of Highland's Notice of Disclaimer of Lien Interest in Property Subject to Foreclosure, filed in the Ohio Foreclosure Action.

4. Attached hereto as Exhibit 2 is a copy of Wells Fargo's Notice of Voluntary Dismissal of Highland that I understand will be filed tomorrow in the Ohio Foreclosure Action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 21, 2008 at New York, New York.



Michael Stolper

Exhibit 1

**IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO**

WELLS FARGO BANK, N.A., AS TRUSTEE : Case No. 08CVE03-03668
FOR THE MORGAN STANLEY CAPITAL I :
INC. COMMERCIAL MORTGAGE PASS- :
THROUGH CERTIFICATES SERIES 2006- :
XLF, by and through its Special Servicer :
Midland Loan Services :

Plaintiff, :

vs.

PLATINUM LODGING, LLC, *et al.*, :

Defendants.

CLERK OF COURTS

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1999

**NOTICE OF DEFENDANT HIGHLAND PARK OF DISCLAIMER OF
LIEN INTEREST IN PROPERTY SUBJECT TO FORECLOSURE**

Defendant Highland Park CDO Trust I Grantor Trust, Series A (“Highland Park”), by and through counsel, hereby gives notice that it does not have any lien, interest in, or claim to, the real or personal property (the “Property”) as defined in the Mortgage and Security Agreement dated as of July 18, 2006, now held by the Plaintiff and at issue in this action. As such, Highland Park should not be a party to this foreclosure action. Nothing in this Notice shall be construed as a waiver by Highland Park of any of its contractual rights under the Mezzanine Loan Documents, including, but not limited to, Section 2.4.2 of the Mezzanine Loan (the Mezzanine Loan is not at issue in this action).

Respectfully submitted,



Jeffrey A. Lipps (0005541)
Angela M. Paul Whitfield (0068774)
CARPENTER LIPPS & LELAND LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
(614) 365-4100
(614) 365-9145 (Facsimile)
lipps@carpenterlipps.com
paul@carpenterlipps.com

Counsel for Defendant Highland Park

OF COUNSEL:

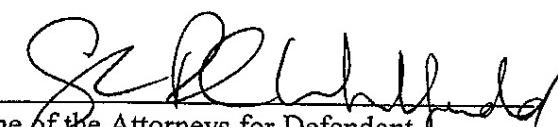
Michael T. Stolper
ORRICK, HERRINGTON & SUTCLIFFE LLP
666 Fifth Avenue
New York, NY 10103-0001
(212) 506-5000
(212) 506-5151 (Facsimile)
mstolper@orrick.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice Of Defendant Highland Park of Disclaimer of Lien Interest in Property Subject to Foreclosure was served this 21st day of July, 2008, by regular, U.S. mail, postage prepaid upon:

Michael N. Schaeffer Richard G. Murray Kemp, Schaeffer & Rowe Co. L.P.A. 88 West Mound Street Columbus, Ohio 43215 <i>Attorney for Defendant Platinum Lodging, LLC</i>	Marc J. Kessler Daniel A. DeMarco Hahn, Loeser & Parks LLP 65 E. State St., 14 th Floor Columbus, OH 43215-4209 <i>Attorney for Defendant Guarantors</i>
Mark W. Bernlohr Jennifer J. Jacquemain Bernlohr Wertz, L.L.P. 23 S. Main Street, Suite 301 Akron, OH 44308 <i>Attorney for Defendant Lyon Financial Services, Inc., d/b/a US Bancorp Business Equipment Finance Group</i>	Charles A. Mifsud Brian M. Gianangeli Joshua D. Weber The Law Office of Charles Mifsud LLC Suite 201 Annex 326 S. High Street Columbus, OH 43215 <i>Attorney for Defendant Ohio State Bureau of Workers Compensation</i>
Lucas C. Ward Ohio Attorney General Collections Enforcement 150 E. Gay St., 21 st Floor Columbus, OH 43215 <i>Attorney for The State of Ohio Bureau of Workers' Compensation</i>	Adria L. Fields Assistant Prosecuting Attorney Franklin County Prosecutors Office 373 S. High Street, 17 th Floor Columbus, OH 43215 <i>Attorney for Defendant Franklin County Treasurer</i>
David L. Lackey Decker, Vonau & Seguin, Lackey & Viets Co., L.P.A. 620 E. Broad St. Columbus, OH 43215 <i>Attorney for Defendant Greenscapes Landscape Company</i>	Andrew R. Fredelake Thompson Hine LLP 10 W. Broad St., Ste. 700 7 th Floor Columbus, OH 43215 <i>Attorney for Defendant Gaylor Inc.</i>
John A. Gleason 555 Metro Place N., Ste. 600 Dublin, OH 43017-1314 <i>Attorney for Defendant Champion Services LLC</i>	Howard E. Baumwell 211 E. Livingston Ave. Columbus, OH 43215 <i>Attorney for Defendant Galloway Landscape LLC</i>

James L. Allen (0077534) Paul E. Perry (0023326) Miller, Canfield, Paddock and Stone, PLC 840 West Long Lake Road, Suite 200 Troy, Michigan 48098 <i>Attorneys for Plaintiff</i>	Trina Goethals Maguire & Schneider LLP 250 Civic Center Dr., Ste. 500 Columbus, OH 43215 <i>Co-Counsel for Plaintiff</i>
James P. Botti Porter, Wright, Morris & Arthur LLP 41 S. High Street, Suite 3100 Columbus, OH 43215 <i>Attorney for Defendant Crane Group Co.</i>	COLUMBUS WORTHINGTON HEATING AND AIR CONDITIONING COMPANY INC c/o CSC – Lawyers Incorporating Service 1300 East Ninth Street Cleveland, OH 44114
KEY EQUIPMENT FINANCE INC c/o CSC-Lawyers Inc., SVC 50 W. Broad St., Ste. 1800 Columbus, OH 43215	LODGENET ENTERTAINMENT CORP c/o Prentice Hall Corp. System, Inc. 380 S. 5 th St. Columbus, OH 43215
SCHINDLER ELEVATOR CORPORATION c/o CT Corporation System 1300 East Ninth Street Cleveland, OH 44114	ECU STAFFING MULTI-SERVICES, INC. c/o Guillermo Barrios 5578 Blue Lagoon Lane Hilliard, OH 43026
ALL-SEAL COATINGS, INC. 15515 West Third Street Plymouth, IN 46563	Lloyd-Pierre Louis Pierre-Louis & Associates, LLC The LeVeque Tower 50 W. Broad St., Ste. 1600 Columbus, OH 43215 <i>Attorney for Receiver</i>



One of the Attorneys for Defendant
Highland Park

Exhibit 2

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

Wells Fargo Bank, N.A., as Trustee for the
Morgan Stanley Capital I Inc. Commercial
Mortgage Pass-Through Certificates Series
2006-XLF, by and through its special servicer
Midland Loan Services, Inc.,

Plaintiff,

vs.

Platinum Lodging, LLC, et al.,

Defendants.

Case No. 08 CVE 03 03668

Judge: Reece

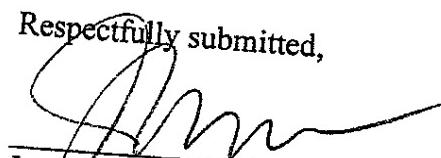
PLAINTIFF'S NOTICE OF
DISMISSAL OF CLAIM AGAINST
DEFENDANT HIGHLAND PARK
CDO TRUST I GRANTOR TRUST,
SERIES A

Defendant Highland Park CDO Trust I Grantor Trust, Series A having filed a disclaimer of interest in the real estate that is the subject of Plaintiff's First Amended Complaint, Plaintiff gives notice of voluntary dismissal of its claim against Defendant Highland Park CDO Trust I Grantor Trust, Series A.

No counterclaim remaining pending for independent adjudication by the court has been served by any defendant. This notice is pursuant to Civ. R. 41(A)(1).

Dated: July 21, 2008

Respectfully submitted,


James L. Allen (0077534)
Paul E. Perry (0023326)
Miller, Canfield, Paddock and Stone, PLC
840 West Long Lake Road, Suite 200
Troy, Michigan 48098
(248) 267-3285
(248) 879-2001 Fax
allenj@millercanfield.com
perry@millercanfield.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice Of Voluntary Dismissal was served this 21st day of July, 2008, by regular, U.S. mail, postage prepaid upon:

Michael N. Schaeffer Richard G. Murray Kemp, Schaeffer & Rowe Co. L.P.A. 88 West Mound Street Columbus, Ohio 43215 <i>Attorney for Defendant Platinum Lodging, LLC</i>	Marc J. Kessler Daniel A. DeMarco Hahn, Loeser & Parks LLP 65 E. State St., 14 th Floor Columbus, OH 43215-4209 <i>Attorney for Defendant Guarantors</i>
Mark W. Bernlohr Jennifer J. Jacquemain Bernlohr Wertz, L.L.P. 23 S. Main Street, Suite 301 Akron, OH 44308 <i>Attorney for Defendant Lyon Financial Services, Inc., d/b/a US Bancorp Business Equipment Finance Group</i>	Charles A. Mifsud Brian M. Gianangeli Joshua D. Weber The Law Office of Charles Mifsud LLC Suite 201 Annex 326 S. High Street Columbus, OH 43215 <i>Attorney for Defendant Ohio State Bureau of Workers Compensation</i>
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Angela M. Paul Whitfield Carpenter Lipps & Leland LLP 280 Plaza, Suite 1300 280 N. high St. Columbus, OH 43215 <i>Attorney for Defendant Highland Park</i>	Lloyd-Pierre Louis Pierre-Louis & Associates, LLC The LeVeque Tower 50 W. Broad St., Ste. 1600 Columbus, OH 43215 <i>Attorney for Receiver</i>



Heather Swantek

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